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April 16, 2008

RECEIVED
CLERK'S OFFICE
U.S. DISTRICT COURT
WHITE PLAINS, NY

BY FAX

Honorable Charles L. Brieant
United States District Judge
United States Courthouse
300 Quarropas St., Room 275
White Plains, NY 10601

Re: Selim Zherka v. Michael F. Bogdanos, et al., 08 Cv. 2062 (CLB) (GAY)

Your Honor:

This letter is sent in connection with the above-captioned matter, a case brought pursuant to 42 U.S.C. § 1983 against, *inter alia*, Matthew Bogdanos (incorrectly named in the complaint as Michael Bogdanos), an Assistant District Attorney for New York County ("ADA Bogdanos").

I am writing to request an extension of time to answer or otherwise respond to the complaint on behalf of ADA Bogdanos. Presently, Bogdanos's response is due on April 17, 2008.¹ I am writing to request a one-month extension of the original deadline, *i.e.*, until May 19, 2008 (May 17th being a Saturday). An extension of time is necessary to enable this office to adequately investigate the factual allegations and legal bases of plaintiff's complaint in order to know how to best respond.

This is ADA Bogdanos's first request for an extension of time. I have communicated with plaintiff's attorney, Jonathan Lovett, and have been informed that he consents to this application.

We appreciate the Court's consideration of this request.

Respectfully,

Michael S. Morgan (MM-9360)
Assistant District Attorney
(212) 335-9371

cc: Jonathan Lovett
Lovett & Gould, LLP
222 Bloomingdale Road
White Plains, NY 10605 (by fax)

¹ Since plaintiff effected service pursuant to N.Y. CPLR § 308(2) and filed his proof of service March 18, 2008, service was deemed completed ten days later, on March 28, 2008, making ADA Bogdanos's response due twenty days later, on April 17, 2008. See Fed. R. Civ. P. 4(a)(1)(A).